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PARLIAMENTARY PROCEDURE.*

It has been said of the English House of Commons that it has more sense than any one of its members. Professor Bryce, in his great work on the American Commonwealth, points out very many delinquencies of the American Congress, and he teaches us that, when judged by the wisdom of its action, our Congress compares unfavorably with European legislatures, and especially does it compare unfavorably with the English Parliament. Yet when he compares the *personnel* of the American House of Representatives with that of the English House of Commons, he surprises us by saying: "Their average business capacity did not seem to me below that of the members of the House of Commons of 1880-85."† Our standard of intelligence is lowered by the absence of a few great lights which adorn the English House; but it is raised, according to Mr. Bryce, by the absence of certain classes who, in the English House, are conspicuous for their lack of intelligence. If, then, we take without allowance all these statements, we would seem to reach this conclusion: there is something about the English House of Commons which makes its action wiser than would be the action of the wisest individual statesman; while there is something about the American legislature which makes its action less wise than would be the action of its average member.

The two books named below, and the current events in

* PARLIAMENTARY PROCEDURE AND PRACTICE IN THE DOMINION OF CANADA. By JOHN GEORGE BOURINOT, C.M.G., LL.D., D.C.L., Clerk of the House of Commons of Canada. Second Edition. Pp. 929. Montreal: Dawson Bros. 1892.

MANUAL OF CONGRESSIONAL PRACTICE, (U. S. Red Book). By T. H. MCKEE. Pp. 398. Washington, D. C.: Statistical Pub. Co.

† American Commonwealth, Vol. i., p. 143.

American and Canadian politics, suggest and almost compel a comparative study of the English and the American governmental procedure. The Canadian Parliament is following mainly English procedure. Canadians themselves have forced us to consider the question of annexation. If we are to be one government, how shall we harmonize our methods of procedure? Aside from the question of annexation, the two governments are with increasing frequency adopting lines of action which compel the attention of the citizens of each.

Mr. McKee's book is made up almost entirely of quotations from the public records of the United States. He has done what would have seemed beforehand to be impossible ; he has given a vivid and dramatic picture of the doings of Congress and of the relations of Congress to the Executive, by making the public records talk. Since it is done, it is difficult to see how otherwise so much accurate and useful information could be condensed into so brief a space. We are made to see how the two houses get into working relations with each other and with the Executive, and how they live and work together. A picture is given of the internal organization of each house, how the committees are formed and how they work. Intricate questions of Congressional law are elucidated by judicious selections from the journals and from the debates. The genesis of the voluminous public documents is made clear. The judicial business of Congress is exemplified, not only in cases of impeachment, but in actions to vindicate the privileges of Congressmen, and in actions to secure papers and testimony. There is nothing in the book to provoke comparison with any other government. Mr. McKee has simply made it possible, as never before, for the ordinary citizen to see clearly how the public business of his country is conducted ; and he has done this by selections from documents with the fewest possible explanatory words.

Mr. Bourinot's book, on the other hand, is throughout a comparative study. It contains a history of the formation

of the Canadian Constitution, and the author claims that the makers of the constitution, having had the benefit of the experience of the United States and of England, combined in their new constitution the virtues of both the older constitutions. Responsible government was established for the Dominion of Canada and for various provinces as early as 1840, but a new constitution was formed in 1867. This is called the British North American Act. It is in form an act of the English Parliament, but it was in fact the work of the people of Canada, and its passage through Parliament was secured by an address to the Crown. There was in Canada a strong disposition to retain provincial rights, but the constitution being formed at the close of our civil war, there was naturally also a strong feeling against independent local powers ; hence the constitution makes it possible for the Dominion Parliament to veto and also to repeal laws passed by the legislatures of the provinces. Certain powers are named in the constitution as conferred upon the provinces. The powers not conferred belong to the Dominion Government. The British North American Act is a part of the law of the land, and, in the nature of the case, its provisions come before the courts for construction. Hence we have in Canada, as in the United States, instances of acts of the Dominion legislature and acts of provincial legislatures set aside by the decisions of courts. But we are not to carry this comparison too far. The act in question is by no means the whole of the Constitution of Canada. The understandings of the English Constitution are likewise for the most part understandings of the Canadian Constitution. The Governor-General represents the Queen in Canada, and all the fictions whereby the Cabinet is put in charge of legislation while at the same time it is subject to a majority of the legislature are in full force. Only a part of the constitution, therefore, is subject to judicial interpretation. It is interesting to observe in this connection that the Canadians have adopted a policy which our constitution-makers considered and rejected. I refer to the policy of consulting the

judges in advance as to the constitutionality of a proposed measure.*

The comparative constitutional study in Mr. Bourinot's book is abundant and rich ; yet this is not the chief object of the book. That is to describe and illustrate the conduct of public business in the Dominion and in the provinces, and to compare this with similar procedure in England and in the United States. Mr. Bourinot makes the ordinary claim for the superiority of legislative procedure guided by responsible executive officers over a procedure such as prevails in the United States, where the legislature is not guided by the executive.

Before we can rightly decide what form of legislative procedure is best we must decide the question—What is a legislature for? This question is by no means so simple as it appears. Professor Bryce, after pointing out certain delinquencies of the American Congress, and after quoting an American statesman who has replied to his criticisms, that Congress had not done the things suggested simply because the people had not signified their desire to have them done, makes the following statement: "The significance of this reply lies in its pointing to a fundamental difference between the conception of the respective positions and duties of a representative body and of the nation at large entertained by Americans, and the conception which has hitherto prevailed in Europe. Europeans have thought of a legislature as belonging to a governing class. In America there is no such class. Europeans think that the legislature ought to consist of the best men in the country ; Americans, that it should be a fair average sample of the country. Europeans think that it ought to lead the nation ; Americans, that it ought to follow the nation."† Professor Bryce advances no arguments in favor of either of these opposing views, he simply states their existence. The opposing views are stated and argued at length in the latest writings of the late

* Parliamentary Procedure, p. 13.

† American Commonwealth, p. 148.

Sir Henry Maine. He represents all forms of government as having exactly the same things to do. He says that in all international relations governments act as individuals, and he seems to assume that in all governmental acts the procedure is after the manner of individual action. Monarchy he describes as the simplest form of government. Democracy is nothing but "inverted monarchy."*

It is certainly true that the administrators of government must in the nature of the case be individuals. It is equally true that the plans of government are formed by an individual or by a body of individuals. It is natural and inevitable that all governmental actions should be thought of and described after the analogy of an individual. It is equally true, but by no means so apparent, that there is something about a government which is not individual, which cannot be described after the analogy of an individual, and the attempt to dispose of the whole of governmental action by such an analogy leads to positive error. It should be clearly understood that we must think and speak of governments after the individualistic analogy. This arises in part from the limitations of language as a vehicle of thought, and in part from our inability to distinguish the direct and the figurative uses of language. Yet we can take any number of special cases and make it perfectly clear in each one that there is something about a government which not only is not individualistic, but is anti-individualistic.

If a tyrant could actually succeed in terrorizing all his subjects to such an extent that he could in all ways work out his individual will, it would furnish a case of individual government. But no real tyrant ever does this. He must have agents who are actuated by a multitude of motives. These agents oppose his will and condition his action at every point. Hence the government which we call a tyranny is not a government of one, but is the resultant of the opposing action of many wills. The actual tyrannies of history have contained both the tyrant and the tyrant-

* *Quarterly Review*, Vol. cxlviii, p. 299, and *Popular Government*, p. 59.

slayer, and these two have been parts of the self-same government. It clearly does violence to the individual to require him to represent at the same time the tyrant and the tyrant-slayer. If we push a tyranny to such an extreme that all wills other than that of the tyrant are completely and totally paralyzed it would be a case of individual government, yet it would no more resemble actual human government than does the case of the man-eating tiger who so terrorizes the inhabitants of a village that he can work his sweet will upon them.

If we pass from the extreme tyrannies, which have in practice always proved short-lived and unreliable, to the more enduring forms of monarchy the anti-individualistic forces become the dominant ones. It is generally accepted as a truism that no government can be secure which is dependent upon the will of one man. An open and a confessed democracy is one in which the forces which make up the dominant elements of all permanent governments are the only ones recognized. According to this view, a tyranny is a monstrosity in government. A monarchy which has in it the elements of permanence is simply one form of governing according to the resultant tendencies of a multitude of conflicting wills and class interests; hence, monarchy may be defined, using Mr. Maine's terms, as a democracy turned upside down. We certainly cannot get rid of the difficulty which Sir Henry Maine describes, by giving to government a name which the accidents of grammar permit us to apply to an individual. If we look to the substance of the thought there may be as much individuality in *Demos* as there is in *Monarch*.

Any contention about the relative merits of monarchy and democracy very soon reduces itself to dogmatic statements of contradictory beliefs. In the present stage of political science, we are constantly led astray if we follow too closely analogies drawn from physical science. An opinion, a mere belief, has no effect upon material things. To a student of physics a belief can have no standing as against a

phenomenon or a fact. To know material phenomena one must be on his guard against mere opinions. But in politics the determining fact is often a mere opinion. Political phenomena are determined more by states of mind than by anything outside of the mind. This principle is well illustrated by a passage from Mr. Maine. He seems to have a fear lest, notwithstanding the many weaknesses which he is able to point out, democracy may after all be a source of trouble. He says: "No doubt, if adequate causes are at work, the effect will always follow; but, in politics, the most powerful of all causes are the timidity, the listlessness, and the superficiality of the generality of minds. If a large number of Englishmen, belonging to classes which are powerful if they exert themselves, continue saying to themselves and others that Democracy is irresistible and must come, beyond all doubt it will come."*

I give this quotation, because it supports my contention that the state of society or the form of government is dependent, not upon any external fact, but upon the state of mind of the people. At the same time, the passage illustrates the weakness of the position of those who would resist the coming of democracy. We are asked to believe that the evils of democracy are likely to come upon us on account of the timidity, the listlessness, and the superficiality of the generality of minds, in the face of the very general belief that only in those parts of the world where the generality of minds are the boldest, the most restless and the most intensely devoted to the study of politics, is democracy making any rapid progress. It is natural that, when one is led to see that the form of government is determined by mere opinions, he should think these opinions ought to be directed into proper channels, and that a few individuals who should properly bestir themselves could thus direct them.

It does not at all follow, because the organization of society rests upon opinions, that it is an easy or a possible thing for an influential class to change the course of society. Even

* *Quarterly Review*, Vol. cxlviii, p. 306, and *Popular Government*, p. 74.

in the case of an individual it is often as hopeless to argue against his opinion as it would be to argue against the action of gravitation. Much more is it often entirely irrational to argue against certain resultant opinions or tendencies of an age. Evidences accumulate that we are entering upon a prolonged period of democratic experiment. A thousand years would be a very short time for such an experiment. The first thousand years of democracy may be accompanied with suffering and ruin worse than anything that has been imagined, and after that there may be millenniums of democracy more triumphant than has yet been conceived. If several thousand years of apparent ruin and folly have not wholly discredited monarchy and aristocracy, why should it be thought that one thousand years of apparent failure would wholly discredit democracy?

The mere belief in the probability of a protracted trial of democracy is fitted to determine the political action of every intelligent citizen. It is not necessary that he should believe that democracy is to be the ultimate form of government. It is not necessary that he should believe in democracy as the best possible form of government. Yet, if it is his opinion that it is going to be tried as thoroughly and, perchance, as long as monarchy has been tried, then it is clearly his duty to make the best of it; he should think and act as if he believed in it; he should strive in all ways to give it a fair trial, to make it as tolerable as possible. In the face of such an opinion all talk about the relative merits of various forms of government is irrelevant and misleading. Equally misleading is the contention as to whether wisdom comes into the world through the medium of the rare great man or through common minds. So long as democracy is on trial that is going to be called wisdom which is in accord with democratic ways of thinking. We call Mr. Lincoln wise because he often treated with apparent contempt the advice of the few who were called wise, and was ever on the alert to "sense" the views of the common people. A story is told of Mr. Charles James Fox, the great English statesman,

which in a democratic age stamps him as wise beyond his generation. Mr. Fox was accustomed to say when the Cabinet had in hand a particularly difficult problem: "I will see Mr. B. about this." Now, Mr. B. was known to be a common sort of man, and Mr. Fox's associates expressed surprise that so stupid a man should be constantly consulted on the abstruse questions of statecraft. But Mr. Fox justified himself by saying that Mr. B. represented the common thick-headed Englishman, and that the work of statesmen was vain if they could not carry the apprehension of the common Englishman. Mr. Cladstone is accounted wise because he approves the views of the masses as against the classes, and because he surpasses other men in perceiving the drift of public opinion. The wise man, according to democratic standards, is he who most perfectly recognizes political and social forces outside of himself, and excels in adapting these forces to existing conditions. It is a sign of folly in such an age for a man to imagine that he can originate governing forces. A tyrant may call to his side a representative assembly for the purpose of terrorizing the members and, through them, the people, in order to enable him to carry out a predetermined policy. A benevolent monarch may call a representative assembly to enable him to the more perfectly determine a wise policy. A democratic assembly is chosen to express the views of the people in matters of government. It would be useless to compare the procedure of these representative assemblies one with another. The objects are different and often conflicting. If legislatures in the United States are to be compared with other legislatures it should be upon the assumption that the legislatures are not to assist the few wise to govern wisely, but to represent the people in matters of government.

Upon the assumption of a probably protracted democratic experiment, the legislature and every governmental agency has other conditions to fulfill than simply to do well the financing, the road building and the other specific acts of governmental business. These specific acts are done by men, and

follow closely the analogy of individual action. A democratic agency has anti-individualistic requirements to fulfill. Mr. Bourinot gives great prominence to the introduction of a system of local government in Canada. What is the thing of chief importance in a system of local government? Is it that taxing and street-cleaning shall be better done? The thing which he chiefly emphasizes is the training which the people are receiving in these local governments. No well-informed man pretends that the new democratic county councils in England will at first do the separate governmental acts as cheaply and as efficiently as did the permanent justices who preceded them. The change is justified by the great opportunity which is thus afforded of increasing the number of those who shall have political experience. It is desirable that a democratic governmental agency should perform every sort of governmental business as efficiently as any government. Yet if it cannot do this and at the same time be in harmony with a multitude of co-operative forces upon which the permanence of the government rests, it may be better, for the time being, to accept a lower standard of governmental efficiency.

It ought to be frankly confessed that what has been called the anti-individualistic part of the government does not have the merit of being easily described. It is too much to ask a man to think of a government as acting in an anti-individualistic way. Mr. Maine has the argument when he claims that the terms "will of the people" and "public opinion"* do not stand for anything definite and easily conceived. In the case cited above, road building is a work done by men; if all the men of a township unite in the deciding of all important questions which arise in the business of road building and thereby learn important lessons in the general business of government, this also, in one sense, is so many individuals learning a thing in a certain way. Yet the thing chiefly learned is the yielding of individual plans and the adopting of a plan of the community; and this

* *Quarterly Review*, p. 314.

does not follow the analogy of an individual. If an individual decides upon the ways and means of government he does it in a way which he cannot describe or understand. We are ourselves constantly making decisions without being able to describe the process.

A young physician baffled by the mystery of a disease called to his aid an old practitioner who at once correctly diagnosed the disease and applied the proper remedy. The young physician very properly wished to know how the elder had reached the correct conclusion. But the man of experience could not tell him ; he could not think of one single particular symptom which furnished the basis of his decision and which was not as likely to mislead the other as to assist him. This will be recognized as an experience not at all unusual. We decide and are ignorant of the process, and all our philosophers are unable to give us practical aid. It is said of a learned professor in one of the English universities that he is accustomed to enter into an elaborate process in deciding the ordinary questions of life. He is, for instance, to choose a summer resort. He writes down the names of the places which occur to him as desirable. He then makes a complete list of the qualities which make a summer resort desirable—as scenery, temperature, air, water, etc. Opposite each of the names of the places he writes a number which expresses to his mind the degree of fulfillment of each of the desirable qualities. For instance, opposite the Alps he would write for scenery 94, temperature 88, *et al.* Opposite the Highlands he would write for scenery 91, for temperature 90, and so on to the end of the list. During all this process he has not the slightest notion as to where he is really going ; but when the numbers are all written down the final decision of the question is a mere matter of addition. It will be readily admitted that this case is unusual. The common way is for a man to make decisions without really knowing how or why he decides as he does.

When a legislative body decides upon the ways and means of government there is a procedure which is known and may

be described. There is a certain number of men who have a legal right to take a part in the acts of the legislature. The procedure must be such that these may know when the measure is proposed, when it passes certain stages and when final decision has been reached. We may use language which indicates a comparison between the legislative procedure and the procedure of the mind of the individual, but the two things are wholly diverse. To compare one with the other tends to confusion and error. Parliamentary procedure belongs to the part of government which is not individualistic and cannot be understood on the basis of any such analogy. It is simply a series of artificial arrangements to facilitate the joint action of many. The thinking and the planning is done by individuals. The only way to reduce the saying that the Parliament has more sense than any of its members to a rational statement is by saying that the procedure is such, and the co-operation of its members is such, that wiser conclusions are generally reached than would be reached by its wisest member acting alone. Or, it is conceivable that the mere fact of an attempted co-operation of a multitude may result in a wiser conclusion than would otherwise be reached.

Specific instances may be given where a policy which in later years commended itself as wise is falsely attributed to the wisdom of individuals. The Constitution of the United States, in the eyes of those who made it, at the time they made it, abounded in imperfections. They tolerated it because it was less bad than something else. When it was seen to work fairly well its makers received credit for a genius which they did not claim, and which they did not possess, in the sense intended by those who thus praise them. Hamilton contended in the convention that it would not do to leave to the States a field for independent legislation. He could prove to the satisfaction of many in the convention that such a government would not work, and there was no one at all able to answer his arguments. But there were men in the convention of comparatively feeble intellects who were

able to utter just one short and conclusive sentence : " The people of these States can not be induced to give up their independent State legislatures." In after times this feature has been commented upon as a great stroke of genius. Hamilton showed his real genius for statemanship when he well-nigh exhausted the powers of language in persuading his fellow-citizens to try the constitution which in convention he had said could never be made to work.

Viewed from the standpoint of efficient conduct of governmental business I suppose it ought to be conceded that the English and Canadian cabinet system is more satisfactory than the American system of divided powers. It should also be conceded that the ultimate aim of all sorts of governmental procedure ought to be the doing well of the ordinary governmental business. The mere safeguards, which at the same time interfere with the efficiency of government, ought to be looked upon as temporary expedients, to be removed when the danger is passed. While we may distinguish between the doing of the separate sorts of governmental business and the maintenance of such relations between the government and the people as will secure permanency, we ought not to confess that these are in themselves opposed to each other. The stress of attention should be upon the right conduct of business. It should be viewed as a sign of danger when the stress of attention is forced upon devices for mere existence. It is, therefore, a most interesting question for Americans whether the cabinet system can be made to work in a thoroughly democratic government. Canada is not entirely democratic and it is not entirely independent. England is not entirely democratic. The party cry of "one man one vote" is not yet law. The decided movement in the direction of democracy began both in Canada and in England in 1867. A quarter of a century is too short a time to test the permanence of any method of governing.

The great word used in describing cabinet government is the word Responsible. The ministers are responsible to the Crown. They are responsible to the House of Commons.

They are responsible to the people. The ministers are responsible for the conduct of all sorts of executive business, the conduct of the army and navy, foreign relations, and all that affects the honor of the nation. They are responsible, too, for the conduct of legislative business. In both England and Canada there is a sort of so-called private legislation, or legislation which is not directly managed by the Cabinet, yet the Cabinet is so far responsible even for this sort of legislation that they must not permit it to injure the public business. The Cabinet must use its majority to kill a private bill if it seems that serious injury will result from its passage. The cabinet system has all the virtues of a direct personal or despotic government. There is one man who, for the time being, has plenary power and plenary responsibility. He is the Prime Minister. He calls to his aid such men as he can trust to share his labors and his responsibility ; and these together work as one man.

To have a responsible government, in the sense in which the word has been used to describe the cabinet government, executive and legislative business must be placed in the hands of the same men. In America we have deliberately determined not to do this. It has seemed to us dangerous to risk so much power in single hands. We set one class of men to make the laws, and an entirely different class to execute them. Of course, we use the phrase responsibility in office. The President is responsible to the people for the execution of the laws ; Congress is responsible to the people for making laws ; the judges are responsible for determining the validity of laws. All of these sets of officers are accustomed to defend themselves against any charge of injury to the people upon the plea that they were limited in their powers of action.

In the closing address of Speaker Reed upon the adjournment of the first session of the fifty-first Congress occur the following words : " Confident as I am of the verdict of time on what we have done, I am still more confident that the highest commendation will be given us in the future, not for

what measures we have passed, valuable as they are, but because we have taken a long stride in the direction of responsible government. Having demonstrated to the people that those who have been elected to do their will can do it, henceforth excuses will not be taken for performance, and government by the people will be stronger in the land.”* For the first time in many years the Republicans had found themselves in possession of the two houses of Congress and of the Presidency. They determined to revise the tariff in the interest of the policy of protection. The Democrats resisted the measure, and resorted to methods of obstruction which had been often employed. The Republican majority in the House was small. By refusing to respond to roll-call, the Democrats could, much of the time, prevent a quorum, and thus render the conduct of business impossible. The Speaker assumed the responsibility of ordering the names of Democrats who were in the House and not voting to be entered on the roll as present, and in this way a quorum was declared present and the measures passed. This act was viewed by the Democrats as an unwarranted assumption of power, yet this is what Speaker Reed describes as “a long stride in the direction of responsible government.” But it will be seen that the people, in order to get the benefit of this sort of responsible government, must see to it that the same political party is in possession of the two houses and of the Executive, while these are elected at different times and in different ways. The only full responsibility possible is that of party, and this can only occur when by chance the same party has control of the three branches of political offices.

The real virtues of American procedure cannot be shown on the side of responsible, easily understood, and efficient governmental action. We excel in the multitude of ways by which injurious action may be prevented. Mr. McKee departs in one place only from his ordinary rule, and, instead of brief illustrative selections, gives from the records over

* McKee's Manual of Congressional Practice, p. 22.

fifty pages to show how the bill authorizing the issue of treasury notes on deposits of silver bullion became a law.* It would seem that with the Republicans who favored the free coinage of silver, and the Democrats who for various reasons were disposed to vote for free coinage, the supporters of free coinage had a majority in each House. Yet the Speaker of the House and a majority of the Committee on Coinage which the Speaker appointed were opposed to free coinage. The bill was gotten through the House by the aid of the committee and the Republican caucus without the free coinage provisions. When it came into the Senate the silver men won a great victory by substituting the House bill for a Senate bill, and at the same time amending the House bill so as to embody a provision for free coinage. The act thus amended came back to the House and was referred by the Speaker to the Committee on Coinage. The silver men, elated by the success of their party in the Senate, were determined to force a vote at once on the Senate amendment. They challenged the act of the Speaker in referring the bill without consulting the House. They demonstrated the fact that they had a majority by securing a vote to amend the journal by striking out the words which indicated that the act had been referred. This done they claimed that the bill was on the table and was subject to be called up for action. Then followed a two days' debate over the question whether that bill was on the table where the majority could reach it, or whether it was in the hands of a committee which was unfriendly to the wishes of the majority. The result proved that the bill was in the hands of the committee, and being in the hands of the committee the free silver men were defeated. The committee and the Speaker together could so act that the bill would be killed or so amended as to remove the free coinage feature.

It should be remembered that this was the Congress referred to above and the same Speaker who boasted that he and his associates would receive the highest commendation of their

* Pp. 188-247.

fellow-citizens because they had taken a "long stride in the direction of responsible government." This is the American idea of responsible government. We hold all our officials responsible for making use of every means within their reach to protect the people from the hasty and disastrous action of the majority. Americans are generally disposed to commend the action of a determined minority who prevent a questionable act of a chance majority. The whole structure of our government is fitted to teach that a chance majority is not to be trusted. Even if the Speaker and his committee had been overborne, and the bill with the Senate amendment had been carried, our institutions would not have failed us. We still had a President who could have been trusted to veto the bill, and who had virtually promised that he would do it.

Can the cabinet system be trusted to always act wisely in the face of a sudden and ill-considered popular demand? It should be said in answer to this that, so far as the system has been tried, it has proved itself equal to all emergencies. It has not seemed to be more liable to hasty and injurious legislation than have our own governments. Will this continue to be the experience of cabinet governments when full and conscious democracy shall have been attained? Of course, this is a question which does not admit of a complete answer. All believers in democracy ought to hope and expect that the system will bear all the strains of a complete democracy. If it can be demonstrated that Canadians, Englishmen, Scotchmen and Irishmen can now govern themselves under the cabinet form of government, it would indicate that the complete democratic millenium is some centuries nearer than is indicated by the American system of checks and safeguards. In a comparison of this sort, a point is soon reached when all that can be said is simply that experience thus far has not determined anything, and prophecy is neither useful nor edifying.

There is, however, a certain action and reaction of the officers of government upon the citizens, and of the citizens

upon the officers, which is in itself a worthy and fruitful object of observation and study. Every well-informed American knows that if he joins a political party and agitates for a certain measure, the method of accomplishing his object does not stand out clearly before his mind. If it is the limitation or prohibition of the liquor traffic, there are a few things which the Federal Government may do, there are other things which, if done at all, must be done by the separate States, and the State is limited in its action by the Federal Government. A legislator may be chosen with reference to a certain line of action upon the liquor traffic, yet his relations to other legislators are such, and his relation to the conduct of public business may be such, that the voter may be wholly unable to decide whether his representative has in good faith attempted to carry into effect the wishes of his constituents. It is not at all unreasonable to suppose that by the very fact of these limitations and uncertainties the ardor of the would-be agitator is checked, and he may be thus led to settle down to a dependence upon the slowly-working forces of civilization, and cease to be an agitator. There is thus a tendency for the more ardent agitation to fall into the hands of the less intelligent, who have no adequate perception of these difficulties and limitations.

Again, when an agitation is started for the attainment of a good which involves conflicting and mysterious financial interests, the mere fact that there are so many checks and safeguards in the way of the attainment of the desired object may lead to the formulation of extreme and absurd demands. Does any American suppose that the demand of the Farmers' Alliance that the government should furnish the farmers all the money they want at a two per cent. rate of interest expresses the sober judgment of the members of the Alliance? I have talked with representative members of the Alliance, and I do not find any who have the slightest expectation of seeing their proposition brought to the test of experience. Some of them frankly state that they do not believe in the proposed loan scheme. I asked a farmer who had expressed

disapproval of the scheme why he had become a party to such a demand if he did not believe in it. He turned upon me and in true Yankee fashion, answered my question by asking me another. He said: "If you believed that a railroad company had injured you and you had decided to sue for damages, you would bring an action for a larger sum than you expected to get, wouldn't you?" For the sake of the argument I admitted that I would. "That is exactly the way it is with us farmers. We believe that we have fared badly at the hands of the government. We make strong demands in order to attract attention, and we expect to get something."

In the absence of experience it is impossible to say just how American citizens would act if these many checks and safeguards did not exist. It is not unreasonable to suppose that, if the citizens saw a clear and definite way whereby the object of desire might be attained, those whose minds were made up as to exactly what they wanted would be more persistent in their agitation, and those who did not know exactly what they wanted would be less ready to make extravagant demands. There can be little doubt that the form of government procedure does react upon the people. Looking simply at the temper of the people as shown under our present system it would not seem to be safe to dispense with any of our checks. In 1877, if we had had a cabinet system of government, and if the temper of the political mind had been unchanged, it would seem inevitable that we should have been visited with the great evils which we believe would result from the free coinage of silver. And there have been several times since the civil war when it would seem that but for our checks we should have suffered the greater evils of an unlimited issue of paper money. The question which cannot now be answered was: Would the people have manifested such a temper if they had been living under a responsible cabinet government in which there was no provision for preventing hasty action?

An American conversing with an English radical was trying to impress upon his friend the dangers which might arise under such a government as the English. Just at that time there were riots in Trafalgar Square. Violent and what seemed to be incendiary speeches were being delivered in Birmingham and, doubtless, in the other great centres of industry. "Now," said the American, "suppose in time of great excitement a strong movement to start among the laboring men. Why might they not elect a majority in the House of Commons, bear down all opposition and rush through Parliament a series of measures which would bring ruin upon the country? What is there in your constitution to hinder?" The Birmingham radical replied that England had a most satisfactory safeguard against any such disaster in the character of the English people. "Every true Englishman," said he, "is at heart conservative. This is just as true of the laboring men as it is of any class of Englishmen. They will not be led to act without due consideration." It will be observed that according to this view each particular Englishman carries in himself a full set of checks and balances. Americans place their checks and balances in their institutions and modes of governmental action, and thus relieve the individual of a large measure of political responsibility.

The cabinet system makes an immense demand upon a few individuals. The prime minister must select a group of men who can work together harmoniously, and who, at the same time, must satisfy the various groups of voters who make up the majority in the legislature. These bear the whole burden of administration and legislation. No ordinary man can fill the place of prime minister. The man who learns to do this work well is almost compelled to continue to do it as long as his powers endure. Sir John Macdonald held a leading place in Canadian politics for a generation and was continued in the place of leadership till the day of his death. The feeling is general in England that there is but one man who can lead the Liberal party, and he

has been in active politics for sixty years. As democracy matures and becomes self-conscious, and the burdens of government increase, can individuals be found who can fulfill this extraordinary demand? Mr. Gladstone's education was well advanced before the days of modern science, or before the so-called scientific method had a widespread influence. He has himself been an enigma to the scientist and to many who are not scientists. It is said that there are intelligent Englishmen who believe him to be a Jesuit in impenetrable disguise. Carlyle used to say that Mr. Gladstone had the peculiar faculty of deceiving himself. He would change his view and honestly believe that he had always held the newly-adopted opinions. It is well known that many other Englishmen take a much less charitable view and look upon the Liberal leader as a deceiver.

These personal observations would be wholly out of place in such a discussion if they did not illustrate certain weaknesses of the cabinet system. The Prime Minister must lead a party. The thoughts, feelings and purposes of a party are not always easily discerned. The party is constantly changing its purposes. He who leads the party is often forced to change his position upon questions of the day. With the rank and file of the party there is no serious trouble about this. Some may join the other party; some may remain in the party while openly dissenting from some of its teachings. But the Prime Minister cannot do this. He must uphold and defend all the doctrines of the party. In the very nature of politics that which has become the doctrine of the party was in the first place the doctrine of only a minority in the party. This minority goes to work to convince the majority that what they want is best. At this stage it is the duty of the Prime Minister to invent reasons for rejecting the wishes of this minority. Hence he is likely to appear as the opponent of the measure; but, if the movement gathers strength so as to threaten the control of the majority in the party, its leader may feel bound to assume a new attitude towards the new measure and may end in

becoming its champion and advocate. Probably the easiest and most correct explanation of the peculiarities of Mr. Gladstone's mind, which have given so much trouble to his countrymen, is the simple statement that he has followed the natural requirements of leadership in a cabinet government. As a leader of a party he becomes conscious of two or three courses of action which he may be required to pursue. If he is forced to make a public utterance in advance of the time of the decision, he will use a bifurcated or a trifurcated form of statement. He may do this in perfect good faith. He may have in mind two or three possible courses of action, and use language which, to his mind, may be construed to fit either course. His hearers are not so broad-minded; each one has his whole mind set upon his own particular choice of action, and he may think the leader's words to fit only his view. After a time, when a definite policy has been chosen, the Prime Minister may, in perfect good faith, go back and pick up his bifurcated statement and show its consistency with the final policy adopted. It becomes then an important question in the Liberal party what shall be done for a leader when Mr. Gladstone is gone. Are the younger men, whose modes of thinking and expression have been formed on more exact scientific models, able to take such liberties with human speech, and, at the same time, maintain their own self-respect and the reputation for high moral character which is demanded in a leader of the party? Or is the intelligence and temper of the party such that such facility of speech is not required? May Mr. Morley offer direct and undisguised opposition to the principle of an eight-hour law, and then, a little later, may he defend an eight-hour bill in the face of derisive opposition?

The cabinet system tends to promote more intense party strife than does the American system. In Congress and in the various State legislatures it is customary for each political party to be represented upon the various committees. It is true a majority of the committee is made up of represent-

atives of the party which happens to control the organization of the house, but the fact that both parties are represented on the committee causes habitual co-operation of men of opposing views in a close personal way. A very large part of our legislation is the joint product of men of different parties who unite in committee in recommending the measures adopted. There are comparatively few questions which come to be so identified with a party as to be supported by all of one party and opposed by all of the other. It is true we have the legislative caucus which tends to promote unity of party action, but the caucus can be applied to only a few of the many measures before a legislature, else it would lose its authority. We may reasonably expect, as we become further removed from the memories of the civil war, that party feeling will grow still less intense and that a more generous spirit of co-operation for the common good will pervade the parties.

The great objection which has been urged against the American system is that laws are made in a secret and irresponsible way by secret committees; that the members of the legislature are themselves often necessarily ignorant of what is being done. This undoubtedly has been and is a source of considerable evil. But a large part of this evil arises from the simple fact that the people at large have lived in strange ignorance of the mode of procedure in their legislative bodies. The state of the public mind on the silver question is still affected by a strange story which was put into circulation a few years after the action of Congress on the subject of coinage in 1871. The story represented the Congress of the United States as secretly and hastily passing a bill demonetizing silver in response to a demand from the money centres of Europe. The public generally were induced to give credit to this story. Yet the records show that the bill was in the hands of the regular committee for two or three years; that the committee made its reports in the regular way; that it gave an unusually full explanation of the effect of the bill upon the silver dollar,

and the reasons for the action. Yet the great body of the members of Congress could truthfully say that they were entirely ignorant of the nature of the bill. It was at a time when there was no public attention given to the subject. The measure simply went the ordinary round of committee legislation, and passed the two houses unanimously. When, a few years later, there was an intense public agitation of the subject, wide-spread ignorance of ordinary procedure led to a general belief in a foolish and absurd report.

Many of the worst evils of the committee system of legislation will disappear with a general knowledge of what the committees do and how they act. If it is generally known that the committees make the laws, the action of the committees will be of interest to the public. The public will insist upon being let into their secrets. The action of the committees will become in an important sense responsible action. Successful democracy involves, as a necessary condition, that the people shall be familiar with the modes of governmental action, whatever they may be. This is simply another way of saying that the people must know upon whom to fasten the responsibility for various acts. There is encouragement in the manifestation of increased popular interest in this subject. There ought to be a call for many editions of Mr. McKee's book.

JESSE MACY.

Iowa College.